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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 10/050,883
Filing Date: 11/09/2001
Applicants: Mel MacAllister et al.
Title: APPARATUS AND METHOD FOR MOLDING AN ANIMAL BODY
PART
Art Unit: 3643
Examiner:

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Enclosed for filing in the above-referenced patent application please find:

- 1) a Petition to Contend Omitted Items Were Deposited;
- 2) a true copy of the application return postcard;
- 3) a Declaration of Applicants' attorney;
- 4) a copy of the Notice to File Missing Parts of Nonprovisional Application;
- 5) a signed Inventors' Declaration;
- 6) a replacement drawing sheet containing Figs. 7-10;
- 7) a check in the amount of \$607 to cover the Petition fee of \$130, the filing fee of \$411 and the surcharge fee of \$65; and
- 8) a return postcard.

Respectfully submitted,

Dated: 5/14/02

Robert R. Deleault, Reg. No. 39,165
Attorney for Applicant
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41 Brook Street
Manchester, NH 03104
Tel. (603) 668-1971

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on:

May 14, 2002
Robert R. DeLeon et al.
Palmer Associates

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/050,883	11/09/2001	Mel MacAllister	mac11081

CONFIRMATION NO. 5936

23580
 MESMER & DELEAULT, PLLC
 41 BROOK STREET
 MANCHESTER, NH 03104

FORMALITIES LETTER



OC000000007644699

Date Mailed: 03/15/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/07/2002 JBALINAN 00000012 10050883

01 FC:201	370.00 OP
02 FC:202	42.00 OP
03 FC:205	65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$42.
 - \$42 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 477.

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The following item(s) appear to have been omitted from the application:

- Figure(s) 7-10 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date must be filed within TWO MONTHS of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within TWO MONTHS of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the

application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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